

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO.: 05-449M
)	
Plaintiff,)	
)	
v.)	DETENTION ORDER
)	
HOANG MUNG THAI,)	
)	
Defendant.)	
_____)	

Offense charged:

Possession with Intent to Distribute Cocaine and Crack Cocaine

Date of Detention Hearing: September 20, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by Complaint, together with a co-defendant, with two counts of possession of more than 50 grams of a mixture or substance containing cocaine with intent to distribute.

(2) Defendant has a criminal records history which includes attempted murder in the

01 first degree, assault within maritime territorial jurisdiction, VUCSA, forgery, theft, burglary,
02 failure to comply with warrants, taking motor vehicle without permission, and residential burglary.

03 The defendant is on supervision with the Washington Department of Corrections.

04 (3) The defendant was born in Vietnam and is a deportable alien in possession of a
05 green card. The AUSA anticipates the filing of an immigration detainer. He resides in Seattle.

06 (4) The defendant was not interviewed by pretrial services. There is no additional
07 information available regarding his personal history, residence, family ties, ties to this District,
08 income, financial assets or liabilities, physical/mental health or controlled substance use if any.

09 (5) The defendant does not contest detention.

10 (6) The defendant poses a risk of nonappearance due to his status as a native and
11 citizen of Vietnam with previous deportation hearings, unknown ties to this District and unknown
12 background information, a history of arrests on warrants and failure to comply. He poses a risk
13 of danger due to criminal history, the nature of the instant offense, and the fact that the defendant
14 was on state supervision when the alleged offense occurred.

15 (7) There does not appear to be any condition or combination of conditions that will
16 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
17 to other persons or the community.

18 It is therefore ORDERED:

19 (1) Defendant shall be detained pending trial and committed to the custody of the
20 Attorney General for confinement in a correction facility separate, to the extent
21 practicable, from persons awaiting or serving sentences or being held in custody
22 pending appeal;

23 (2) Defendant shall be afforded reasonable opportunity for private consultation with
24 counsel;

25 (3) On order of a court of the United States or on request of an attorney for the
26 Government, the person in charge of the corrections facility in which defendant is

01 confined shall deliver the defendant to a United States Marshal for the purpose of
02 an appearance in connection with a court proceeding; and

- 03 (4) The clerk shall direct copies of this Order to counsel for the United States, to
04 counsel for the defendant, to the United States Marshal, and to the United States
05 Pretrial Services Officer.

06 DATED this 20th day of September, 2005.

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08 Mary Alice Theiler
09 United States Magistrate Judge
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